

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

FILED
Scott L. Poff, Clerk
United States District Court
By staylor at 3:48 pm, Feb 04, 2019

UNITED STATES OF AMERICA

v.

PABLO RANGEL-RUBIO, et al.,

Defendants.

CASE NO.: 418-cr-274

ORDER

This matter is before the Court on the Government's Motion to Designate this Case Complex and to Exclude Time Under the Speedy Trial Act. Doc. 31. In its Motion, the Government asks the Court to declare this case as unusual and complex under 18 U.S.C. § 3161(h)(7)(B) and, consequently, to exclude all time from the date the Motion was filed (December 20, 2018) until further order of the Court from computation under the Speedy Trial Act. Id. at 6. No Defendant has opposed the Government's motion.

This case involves allegations that Defendants Pablo Rangel-Rubio and Juan Rangel-Rubio conspired to conceal, harbor, and shield illegal aliens in an extensive scheme to employ illegal aliens. The Government further alleges that Defendants Pablo Rangel-Rubio and Juan Rangel-Rubio conspired with and paid Defendant Higinio Perez-Bravo to kill a federal witness after the witness reported the illegal employment scheme. The Government asserts that the discovery in this case is voluminous, and includes numerous documents and recordings in Spanish. The Government further contends that all three Defendants are charged with capital-eligible offenses and, therefore, the United States Attorney's Office will need to prepare a recommendation on whether to seek the death penalty to the Criminal Division of the Department of Justice. Id. at 2–3. The Defendants will have the opportunity to present evidence and argument against the Government seeking the death penalty. Id. at 3. The Government

argues that capital prosecutions are inherently complex and often warrant exclusion of time from the Speedy Trial Act computation due to that complexity.

After careful consideration, and for good cause shown, the Court **GRANTS** the Government's unopposed Motion and finds that the ends of justice served by designating this case as complex and excluding time under the Speedy Trial Act outweigh the best interest of the public and the Defendants in a speedy trial. In making this determination, the Court has considered both the nature of the prosecution, the volume and complexity of discovery involved in the case, and the fact that all three Defendants are charged with capital-eligible offenses. The Court, therefore, concludes that absent a continuance under the Speedy Trial Act, it would be unreasonable to expect adequate preparation for trial or pretrial proceedings. The Court declares this case unusual and complex under 18 U.S.C. § 3161(h)(7)(B) and, excludes all time from December 20, 2018 until further order of the Court from computation under the Speedy Trial Act.

SO ORDERED, this 4th day of February, 2019.



BENJAMIN W. CHEESBRO
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA